

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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United States of America,

File No. 24-CR-00274 (JMB/JFD)

Plaintiff,

v.

**ORDER**

Willie Henry McDaniel, Jr.,

Defendant.

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David Green, United States Attorney's Office, Minneapolis, MN, for Plaintiff United States of America.

Deborah K. Ellis, Ellis Law Office, St. Paul, MN, for Defendant Willie Henry McDaniel, Jr.

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This matter is before the Court on Plaintiff United States of America's (the Government's) unopposed motion to exclude time under the Speedy Trial Act (Motion). (Doc. No. 31.) Defendant Willie Henry McDaniel Jr. has filed a statement of reasons in support of the exclusion of time. (Doc. No. 32.)

The Government seeks to exclude forty days from Speedy Trial Act calculations, from the date of January 29, 2025 through March 10, 2025, to permit the Minnesota Bureau of Criminal Apprehension to complete laboratory testing to confirm the nature of substances seized at the time of McDaniel's arrest. (Doc. Nos. 31, 32.) McDaniel states that the exclusion of time will allow him to receive the results of the testing and to discuss

the results with his lawyer so as to “protect [his] rights to due process and fundamental fairness.” (Doc. No. 32.)

Under 18 U.S.C. § 3161(h)(7)(B)(i), the Court finds that a miscarriage of justice would result if time were not excluded under the circumstances. For reasons stated in the Government’s Motion and McDaniel’s statement, the Court finds that permitting both parties adequate time to receive and review the laboratory results serves the ends of justice and procedural fairness. The Court concludes that the ends of justice served by granting a continuance outweigh the best interest of the public and McDaniel in a speedy trial under 18 U.S.C. § 3161(h)(7)(A).

Based on the foregoing, and on all of the files, records, and proceedings herein,  
IT IS HEREBY ORDERED THAT:

1. Plaintiff United States of America’s Motion to Exclude Time Under the Speedy Trial Act (Doc. No. 31) is GRANTED; and
2. The period of time between January 29, 2025 and March 10, 2025, is excluded from Speedy Trial Act computations in this case.

Dated: February 11, 2025

/s/ Jeffrey M. Bryan  
Judge Jeffrey M. Bryan  
United States District Court